REMARKS/ARGUMENTS

Reconsideration of the application is respectfully requested for the following reasons:

The present remark is in response to the Office Action mailed June 2, 2006, in which Claims 1-20 are pending in this application, Claims 1-2, 6-7, 11-12, 16-17, 20 have been amended.

Rejection of Claims 1, 11, 16, 19, 20 Under 35 U.S.C. §102(e)

Claims 1, 11, 16, 19, 20 are rejected under 35 U.S.C. §102(e) as being anticipated by Nagaoka (US 6,830,404 hereinafter Nagaoka' 404).

Applicant respectfully traverses this rejection. This rejection is respectfully traversed on the basis that Nagaoka' 404 fails to disclose all claim limitations of the claimed invention. Particularly, Nagaoka' 404 fails to disclose a touch pen module, said touch pen module comprising: a pen body having a socket comprising at least one non-annular notch; and a pen tip formed of a engineering plastic material having an elongation comprising at least one non-annular bulge, wherein said pen body and said pen tip are assembled by insertions of said elongation into said socket and said bulge into said notch.

In FIG. 1 and the related description of Nagaoka' 404, the annular groove 1B is read as the notch of the claimed invention and the flange 2A is read as the bulge of the claimed invention. The notch and the bulge of the claimed invention are not in an annular shape. Because the pen tip of the claimed invention is formed of a hard engineering plastic material with low friction coefficient, such as POM or the like, if the notch and the bulge of the claimed invention are both in an annular shape, there will be a risk that the pen tip may rotate relative to the pen body and the pen tip is not fixed in a pre-determined position. The connection between the pen tip and the pen body is easily damaged during the usage of the touch pen module. There will be another risk that it is not easy to assemble the pen tip to the pen body because of the material properties of the engineering plastic material and the annular shape of the notch and the bulge. The structural relationship of the claimed invention between the notches and the bulge is different from Nagaoka' 404. Therefore, Claim 1 is not anticipated by Nagaoka' 404.

In FIG. 1, FIG. 3 and the related description of Nagaoka' 404, the soft back input member 10 is read as the pen tip of the claimed invention and the soft back input member 10 is formed of a soft material, such as rubber. The pen tip of the claimed invention is not formed of a soft material. The pen tip of the claimed invention is formed of a hard engineering plastic material with low friction coefficient, such as POM or the like. If the pen tip of the claimed invention is formed of a soft material, such as rubber, there will be a risk that the touch pen module will be difficult to use because of the large friction force, or cannot achieve the input function because of the deformation of the pen tip formed of soft material. Therefore, Claim 11 is not anticipated by Nagaoka' 404.

In FIG. 9 and the related description of Nagaoka' 404, the projector 38A is read as the bulge of the claimed invention. The function of the projector 38A is to press against an inner surface of a pen holder so as to hold the pen in the pen holder. The projector 38A has to project from the outer surface of the pen and the projector 38A is pushed by a coil spring. The function of the bulge of the claimed invention is to connect the pen tip and pen body, i.e. the bulge of the claimed invention is not necessary to project from the outer surface of the pen. If the bulge of the claimed invention projects from the outer surface of the pen, there will be a risk that the pen tip will be separated from the pen body when someone unintentionally touches the bulge and the decorative design of the touch pen module may be limited because of the projecting bulge. The structural relationship of the claimed invention is different from Nagaoka' 404. Therefore, Claims 16 is not anticipated by Nagaoka' 404.

Rejection of Claims 6, 9, 10 Under 35 U.S.C. §102(e)

Claims 6, 9, 10 are rejected under 35 U.S.C. §102(e) as being anticipated by Nagaoka (US 6,707,451 hereinafter Nagaoka' 451).

In FIG. 9 and the related description of Nagaoka' 451, the soft rear input portion 43D is read as the pen tip of the claimed invention and the neck 41E is read as the notch of the claimed invention. The soft rear input portion 43D is one part of the soft rear input member 43, and the soft rear input member 43 is fixedly press-fitted onto the reduced diameter portion 41C and the flange 41D of the pen cylinder 1. The neck 41E has a further reduced diameter. The notch and the bulge of the claimed invention are not in an annular shape. If the notch and the bulge of the claimed invention were both annular, there will be a risk that the pen tip may rotate relative to the pen body and the pen tip is not fixed in a pre-determined position. The connection between the pen tip and the pen body is easily damaged during the usage of the touch pen module. The structural relationship of the claimed invention between the notches, and the bulge is different from Nagaoka' 451. Therefore, Claim 6 is not anticipated by Nagaoka' 451.

It is quite clear that the teachings of Nagaoka' 404 and Nagaoka' 451 do not teach every element of the claimed invention. According to MPEP §2131, To Anticipate A Claim, The Reference Must Teach Every Element Of The Claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. It is quite clear that the teachings of Nagaoka' 404 and Nagaoka' 451 actually fail to teach every element of the claimed invention and one with ordinary skill in the art would not anticipate the claimed invention by the teaching of Nagaoka' 404 and Nagaoka' 451.

Rejection of Claims 4, 5, 14, 15 Under 35 U.S.C. §103(a)

Claims 4, 5, 14, 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nagaoka' 404.

Nagaoka' 404 does not disclose that the bulge comprises a hemisphere bulge and said notch has a hemisphere shape or the bulge comprises a hook bulge and said notch has a hook shape. One of ordinary skill in the art cannot make the claimed invention from Nagaoka' 404 because the teachings of Nagaoka' 404 relate to an annular groove and a flange. Therefore, Claims 4, 5, 14, 15 are not unpatentable over Nagaoka' 404.

Rejection of Claims 2, 3, 12, 13, 17, 18 Under 35 U.S.C. §103(a)

Claims 2, 3, 12, 13, 17, 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nagaoka' 404 in view of applicant's admitted prior art.

Nagaoka' 404 does not disclose that the pen tip is made of polyoxymethylene(POM), and the pen body is manufactured by injection molding. One of ordinary skill in the art can not make the claimed invention be obvious from the teachings of Nagaoka' 404, because the teaching of Nagaoka' 404 is of an annular groove and flange and the material of the pen tip is a soft material, such as rubber. Therefore, Claims 2, 3, 12, 13, 17, 18 are not unpatentable over Nagaoka' 404 in view of applicant's admitted prior art.

CONCLUSION

In light of the above remarks to the claims, Applicant contends that claimed invention is patentable thereover. Claims 1-20 are now in condition for favorable consideration and allowance of Claims 1-20 are most respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted

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